



The City of West University Place

A Neighborhood City

Notice of Zoning Board of Adjustment Meeting

Notice is hereby given that the Zoning Board of Adjustment (ZBA) of the City of West University Place, Texas will meet on **December 20, 2018** beginning at 6:30 p.m. in the Municipal Building, 3800 University Boulevard, West University Place, Texas 77005.

The subject(s) of the meeting are as follows:

Call to order

1. **Notices, Rules, Etc.** Matters relating to notices, rules and meeting procedures, identifying parties, swearing of witnesses, etc.
2. **Selection of a Vice-Chair.**
3. **Docket No. 2018-007, regarding property at 3715 Wroxton Rd, West University Place, Texas 77005 (Special Exception).**
 - a. Public hearing regarding a special exception request to Table 7-5a, Note 7, allowing for the authorization of an alternate design or plan for a garage or driveway.
 - b. Deliberation, decisions, other activities, etc. regarding the preceding matters.
4. **Docket No. 2018-008, regarding property at 3715 Wroxton Rd, West University Place, Texas 77005 (Special Exception).**
 - a. Public hearing regarding a special exception request to Table 7-5a, Note 4 to allow an alternative driveway material for a required driveway in a front yard.
 - b. Deliberation, decisions, other activities, etc. regarding the preceding matters.
5. **Docket No. 2018-009, regarding property at 3715 Wroxton Rd, West University Place, Texas 77005 (Variance).**
 - a. Public hearing regarding a variance request to Table 7-4a, Note 4 to allow a minimum garage setback of 3'1" from the front yard line.
 - b. Deliberation, decisions, other activities, etc. regarding the preceding matters.
6. **Meeting Minutes.** Matters relating to the approval of minutes from May 24, 2018.

Anyone with a disability requiring special arrangements to be able to participate in the meeting may contact the person who signs this notice, below, in advance of the meeting, to allow time for arrangements to be made as necessary. The meeting place mentioned above is accessible by wheel chairs by using the sloped ramp located at the west entrance to the municipal building. Specially marked parking spaces are available in the parking lot adjoining University Boulevard.

I CERTIFY THAT THIS NOTICE AND AGENDA OF ITEMS TO BE CONSIDERED BY THE WEST UNIVERSITY PLACE ZONING BOARD OF ADJUSTMENT ON December 20, 2018 WAS POSTED ON THE MUNICIPAL BUILDING BULLETIN BOARD ON OR BEFORE THE 17th DAY OF December, 2018, AT OR BEFORE 6:30 O'CLOCK P.M.

D. Scarcella Debbie Scarcella, City Planner, dscarcella@westutx.gov, 713-662-5893



Agenda Item #3

Memo

To: **Zoning Board of Adjustments**
From: **Debbie Scarcella, City Planner**
Date: **December 12, 2018**
Re: **Staff Report for Docket 18-007, 008, & 009**

Applicant's Request

The applicant in Docket 18-007, 008, and 009, 3715 Wroxtton Rd., is requesting two special exceptions and one variance for a proposed project at 3715 Wroxtton. The applicant is asking for a special exception for a design that will allow a driveway width of 30' to accommodate a three car garage; a special exception for alternative materials for at least a portion of the driveway; and, a variance to allow the front facing garage doors to be 3.1' from the front yard (setback).

Background Information

The property at 3715 Wroxtton Rd. is located in an SF-3 zoning district and is an odd-shaped lot. The lot is 111.00 x 75.40 x 98.30 x 48.60. The applicant is proposing to demolish the existing garage which is in a dilapidated state from water damage and replace it with a three car garage in approximately the same location. The first special exception request would allow for a 30' wide driveway to facilitate the use of the three car garage. The maximum width is twenty feet. Also requested is a special exception to allow material in at least a portion of the driveway that does not comply with the regulations. The materials are pervious but do not meet the definition of pervious pavement in the zoning regulations. This is being requested in order to help save a large tree in the front yard. The final request is a variance for a front facing garage setback in the front yard. The garage is currently non-compliant and likely has prior nonconforming status for the garage regulations. Once a nonconforming garage is demolished all prior nonconforming status is lost. The applicant wants to replace the old garage at the same location as it currently sits, and enclose an additional area at the front of the house which currently is a deck on concrete blocks. The front of the new garage space would be even with the line of the existing spaces.

Special Exception #1-Driveway Width

In the front yard, a driveway serving a front loading garage may not exceed 20' in width. The applicant is proposing a driveway that will at some points be 34' 10" in width at its widest point about 13' into the front yard. This width is to accommodate the proposed three car garage. The ZBA has the authority to grant this special exception through Table 7-5a, Note 7 if the alternative plan meets one of the four criteria stated in the Note (attached). The ZBA must also find that the request is in harmony with the general purpose and intent of the Zoning Ordinance and that the request will not cause any significant increase in on-street parking or traffic, traffic congestion, or an unreasonable burden upon public utilities or services. The burden is on the applicant to present evidence to the Board to support each finding and determination required for the issuance of this special exception. If the Board grants the special exception, the Board can attach conditions.

Special Exception #2-Allow for driveway material that is not pervious pavement.

The application is proposing to construct the driveway with an alternative material than specified in the ordinance. The driveway is proposed to be black star gravel with an 18' concrete edging. Table 7-5, Note 4 authorizes the ZBA to grant a special exception for an alternative material that is of equivalent durability to hard surfaced pavement. The ZBA must also find that the request is in harmony with the general purpose and intent of the Zoning Ordinance and that the request will not cause any significant increase in on-street parking or traffic, traffic congestion, or an unreasonable burden upon public utilities or services. The burden is on the applicant to present evidence to the Board to support each finding and determination required for the issuance of this special exception. If the Board grants the special exception, the Board can attach conditions.

Variance Request-Garage door setback

When a garage structure with PNC status is demolished, a replacement garage must be built that conforms to the zoning regulations. Due to the shallow depth of the building site, the applicant cannot meet the requirement to set the garage doors back from the front building line an additional 10'. The applicant is asking that the ZBA authorize the doors in the current location and authorize the additional garage space at the same measurement from the front setback, which is approximately four feet. The loss of parking room would be accommodated by the driveway to the additional parking stall, should the special exception be granted.

The findings to grant a favorable result for this application are as follows:

1. The ZBA must find that a literal enforcement of the ordinance would result in an unnecessary hardship.
2. By granting the variance would the spirit of the ordinance be observed and substantial justice done?
3. Would the variance be contrary to the public interest?

Staff believes that the ZBA has the authority to grant this variance, but according to Section 11- 102 of the zoning regulations, the ZBA may not issue a variance unless all of the following circumstances are present: (1) The ZBA has made all findings and determinations required by state law for the granting of a variance. A "special condition" or "hardship" that is self-created, personal or based only on financial reasons is not sufficient to support the issuance of a variance.

(2) The ZBA has made any additional findings and determinations required by a specific provision of this section which relates to the variance.

(3) The variance has been reduced to writing and includes any conditions prescribed by the ZBA or required by this section for the variance in question.



City of West University Place
APPLICATION TO THE ZONING BOARD OF ADJUSTMENT OF THE
CITY OF WEST UNIVERSITY PLACE, TEXAS ("CITY")

Address of site: 3715 Wroxton Rd 77005

Legal description of the site: Lot 6, Blk 6 Sunset Terrace

Applicant: Brent Farrell - ReCraft Construction

Address: 3715 Wroxton

Contact: Brent Farrell **Phone:** 281-804-5698 **Fax:**

Email: brent@recrafthomes.com

Decision or Action Requested (check one or more and provide requested data):

() **Appeal.** Hear and decide an appeal from an order, requirement, decision or determination made by the Administrative Official.

- Is the official's action in writing? () Yes; () copy is attached. () No, but the action appealed is as follows:

- When was the action taken?
 delay below:

Note: Appeals must be filed within a reasonable time. Please explain any

- Exact zoning ordinance section(s) involved:
- Grounds for appeal:

(X) **Special Exception.**

- Exact zoning ordinance section that authorizes the special exception: Table 7-5a, Note 7+4
- Exact wording of special exception requested: 1) Special exception for driveway width that exceeds 20ft in the front yard. Driveway to be 30ft. wide to accommodate 3 car garage.
2) Accomodate for different design on driveway for Black Star Grave) to accomodate tree roots.

() **Variance.**

- Exact zoning ordinance section from which a variance is requested:
- Exact wording of variance requested:

Other Data. Are there drawings or other data? () No () Yes (list items here and attach them)

1. Application
2. narrative
3. Site plan
4. survey
5. Warranty Deed
6. letter Craig Koehl

Attached. The applicant has read the State and City regulations attached.

Signature of applicant: Brent Farrell **Date:** 11-27-18

For Staff Use only **Date filed:** 11-28-18 **Date heard:** **Docket#:** 07-18-00007
07-18-00008



City of West University Place
APPLICATION TO THE ZONING BOARD OF ADJUSTMENT OF THE
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Address of site: 3715 Wroxton Rd 77005

Legal description of the site: LT 6, BLK 6 Sunset Terrace

Applicant: Brent Farrell - ReCraft Construction

Address: 3715 Wroxton

Contact: Brent Farrell

Phone: 281-804-5698 **Fax:**

Email: brent@recrafthomes.com

Decision or Action Requested (check one or more and provide requested data):

() **Appeal.** Hear and decide an appeal from an order, requirement, decision or determination made by the Administrative Official.

- Is the official's action in writing? () Yes; () copy is attached. () No, but the action appealed is as follows:

- When was the action taken?
delay below:

Note: Appeals must be filed within a reasonable time. Please explain any

- Exact zoning ordinance section(s) involved:
- Grounds for appeal:

() **Special Exception.**

- Exact zoning ordinance section that authorizes the special exception:
- Exact wording of special exception requested:

(X) **Variance.**

- Exact zoning ordinance section from which a variance is requested: table 7-4a Parking, driveway etc.
- Exact wording of variance requested: Request a variance to the minimum requirement of 10' btwn garage door & front yard line. Garage door to be setback 3'-1"

Other Data. Are there drawings or other data? () No () Yes (list items here and attach them)

Attached. The applicant has read the State and City regulations attached.

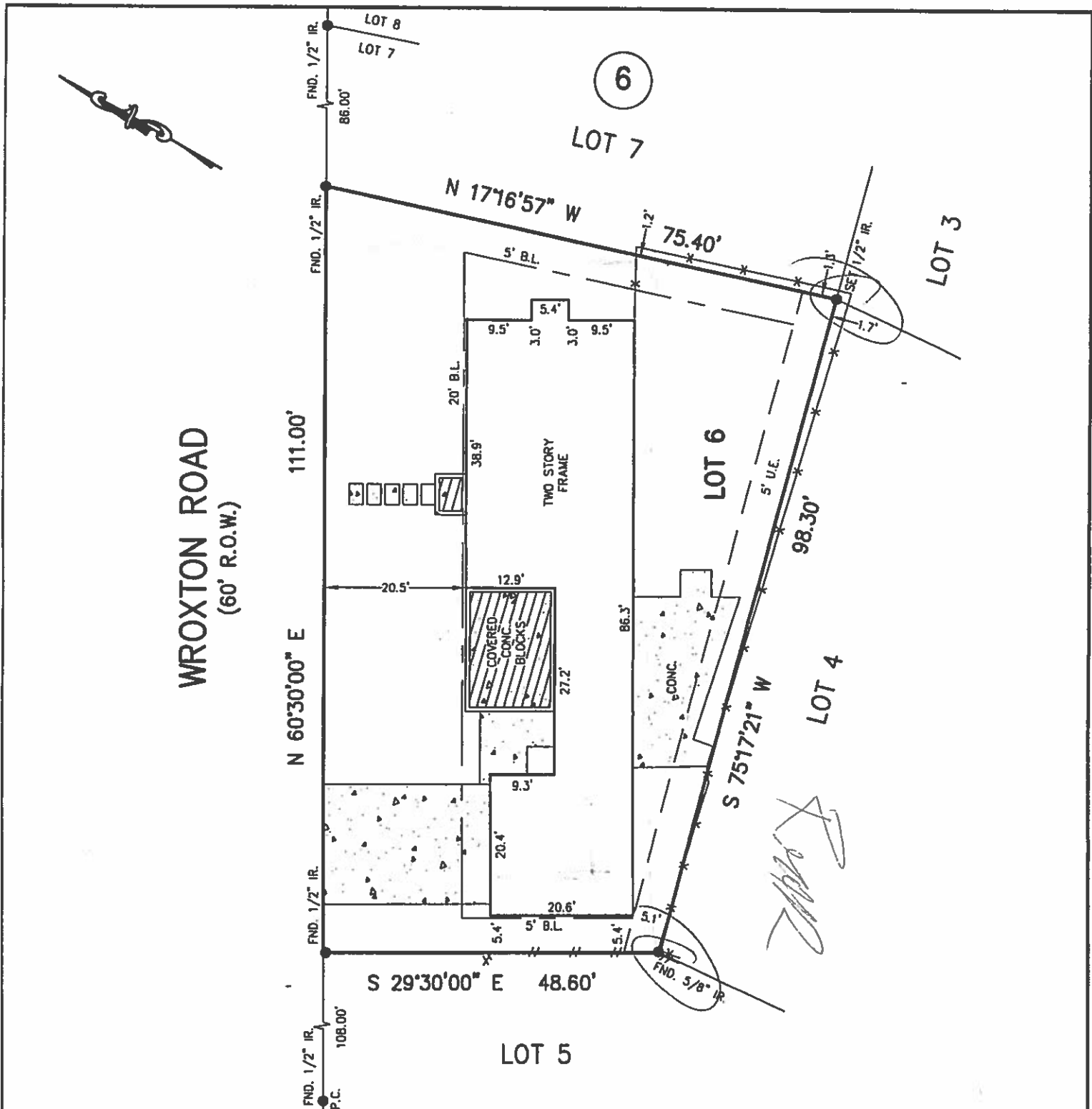
Signature of applicant: Brent J. Farrell **Date:** 11-27-18

For Staff Use only **Date filed:** 11-28-18 **Date heard:** **Docket#:** PZ-18-00009

3715 Wroxtton request for variance and special exceptions:

Overview: My house is in dire need of repairs, the driveway is in horrible condition (cracked, heaving, broken) due to tree roots and the property behind me is flooding my house during heavy rains. The request for variance/issues is due to my odd shaped lot (111' wide x 48' deep). The existing setbacks/easements, etc are written for the majority "standard" sized WU lots (50' wide x 100'+ deep).

- Background - Years ago I tried to sell my property to local builders instead of attempting a remodel (based on the extent of remodeling work that needs to be done), but the builders were not interested because of the different shaped lot and the setbacks they would have to conform to. Because they couldn't fit a house large enough on the lot to make it worth the cost (due to new construction setbacks/easements) they all walked away.
 - My lot is the opposite of the majority of the lots in the WU. Instead of being the "standard" 50' wide x 100'+ deep, my lot is 111' wide and 48' deep.
 - My actual want/need was to make the house a 4 bed 3 ½ bath house (currently 3 – 2 ½), but because of aerial easements the architect could not make it work so I settled on a standard 3-car garage.
 - A couple years ago Mirador builders built on the lot behind me and didn't install any backyard drainage per the plans (City allowed this or let this slip through the cracks) and now during heavy rains the lower level of my house gets water (there is a step down in my backyard and kitchen that goes into a family room, utility and garage). I have spent thousands trying to prevent further damage (grading, landscape, drains and a pump) but the damage is done (water damaged trim, siding, baseboards, tile, furniture/rug damage) and the only solution is to raise that area of my yard/house (hence this project). I have concerns about mold now as well.
 - Per my last point, a major reason for this project/addition is to raise the foundation and low area of my yard to further prevent being flooded by adjoining properties
 - I planned on starting on this project fall of 2017 but Harvey hit (my plans were submitted 2 weeks before the hurricane). Instead I helped 32 families who flooded get back in their houses over the last year, therefore my personal project got delayed. Over the last year my issues have worsened.
 - Because of the special shaped lot I need this variance to allow me to retain my garage footprint in its existing location
 - I am also requesting a variance to allow for a 30' wide driveway on the front of the house to accommodate a 3 car garage. As stated, my front yard/curb is 111' wide. Even with a 30' driveway it will still allow for a plethora of front yard/green space. I will still have 81' of green space in my front yard (which is still 30'+ more than the majority of the lots in the city)
 - I have what I am told is one of the top 10 biggest/oldest trees in West U ripping my driveway apart. I am extremely cognizant of the tree and want to do everything in my power to preserve and protect it. I feel the best way to do this is to put in a black star driveway in lieu of concrete. Not only has the existing concrete slowly cracked apart entire sections have heaved up several inches (dangerous) due to the tree roots.
-

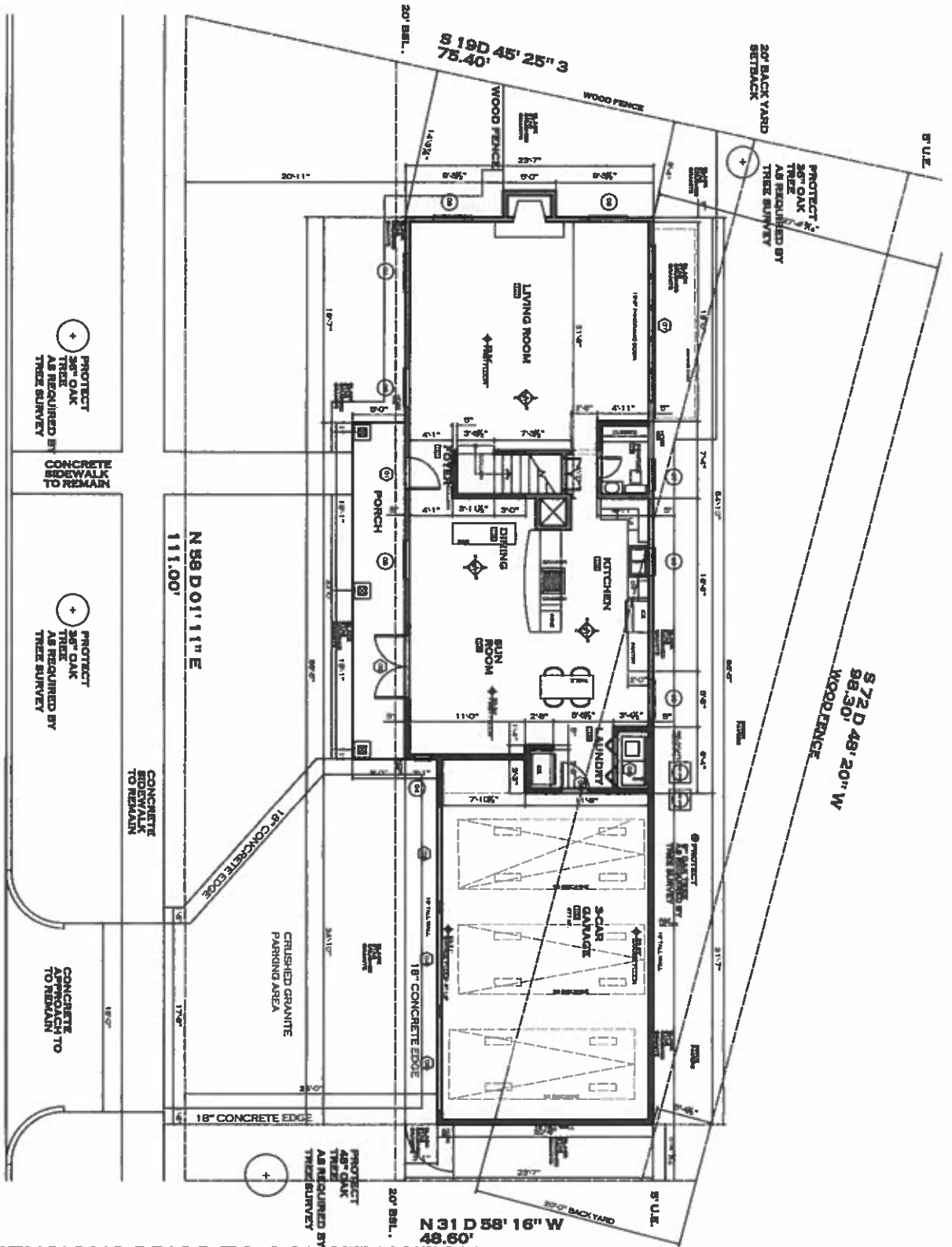


- NOTES:
- 1.) SUBJECT TO APPLICABLE RESTRICTIVE COVENANTS LISTED IN ITEM No. 1, SCHEDULE "B" OF TITLE COMMITMENT ISSUED BY AMERICAN TITLE UNDER G.F. NO. 2004 HO 555614-S.
 - 2.) SUBJECT TO THE ZONING ORDINANCES NOW IN FORCE IN THE CITY OF WEST UNIVERSITY PLACE, TEXAS.
 - 3.) BUILDING LINE RESTRICTIONS PER VOL. 1391, PG. 445, H.C.D.R.
 - 4.) ENCROACHMENT AGREEMENT PER C.F. NO. G036907.
 - 5.) CONCRETE PATIO IS INTO THE 5' UTILITY EASEMENT AS SHOWN.
- IF CONSTRUCTION UPON OR A DIVISION OF SUBJECT TRACT IS PROPOSED AND IF TRACT LIES IN THE CITY OF HOUSTON OR ITS EXTRATERRITORIAL JURISDICTION, PLATTING AND OTHER REQUIREMENTS MAY APPLY PER CITY OF HOUSTON ORDINANCES.
- ABSTRACTING BY TITLE COMPANY.
- ALL BEARINGS SHOWN ARE REFERENCED PER RECORDED PLAT OF SAID SUBDIVISION.

SCALE: 1" = 20'

LOT 6, BLOCK 6,
SUNSET TERRACE, SECTION 9,
VOL. 31, PG. 22, MAR 25, 2004





PROPOSED SITE PLAN

SCALE: 1/8" = 1'-0"

LEGAL DESCRIPTION

LOT #6 BLOCK #6

OF THE SUNSET TERRACE SUBDIVISION

AS RECORDED IN VOLUME 21

PAGE 20 OF THE MAP OF RECORDS

OF HARRIS COUNTY TEXAS

NEW 2X4 STUD WALL

EXISTING STUD WALL

AREA TO BE DEMOLISHED

NEW 2X4 STUD WALL WITH BRICK

EXISTING 2X4 STUD WALL WITH BRICK



NOTE: VERIFY ALL DIMENSIONS PRIOR TO CONSTRUCTION

FARRELL RESIDENCE
3715 WROXTON ROAD

SCALE: 1/8" = 1'-0"

SITE PLANS

COPYRIGHT 2017

ELECTRICAL

GF

555614-S

09/17/04 X925379
200637215

\$16.00

WARRANTY DEED WITH VENDOR'S LIEN

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

THE STATE OF TEXAS

)

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF HARRIS

)

)

THAT CAROL GARNETT, hereinafter called "Grantor" (whether one or more), for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration to Grantor paid by BRENT J. FARRELL, A SINGLE MAN, hereinafter called "Grantee" (whether one or more), the receipt of which is hereby acknowledged and confessed, and the further consideration of the execution and delivery by said Grantee of one certain Promissory Note in the principal sum of \$266,250.00, of even date herewith, payable to the order of COUNTRYWIDE HOME LOANS, INC., hereinafter called "Mortgagee", bearing interest at the rate therein provided; said Note containing the usual reasonable attorney's fee clause and various acceleration of maturity clauses in case of default, and being secured by Vendor's Lien and superior title retained herein in favor of said Mortgagee, and being also secured by a Deed of Trust of even date herewith from Grantee to G. TOMMY BASTIAN, Trustee; and

WHEREAS, Mortgagee has, at the special instance and request of Grantee, paid to Grantor a portion of the purchase price of the property hereinafter described, as included in the above-described Note, said Vendor's Lien against said property securing the payment of said Note is hereby assigned, transferred and delivered to Mortgagee, Grantor hereby conveying to said Mortgagee the said superior title to said property, subrogating said Mortgagee to all the rights and remedies of Grantor in the premises by virtue of said liens; and

The further consideration of the execution and delivery by Grantee of that one certain Second Lien Promissory Note, of even date herewith, in the principal sum of \$53,250.00, payable to the order of COUNTRYWIDE HOME LOANS, INC., and bearing interest at the rate specified, said Note being secured by a second and inferior Vendor's Lien and Superior Title herein and hereby expressly retained and reserved upon the property herein described and conveyed, and additionally secured by a Second Lien Deed of Trust, of even date from Grantee to the Trustee named therein; and

Grantor has GRANTED, SOLD and CONVEYED, and by these presents does GRANT, SELL and CONVEY unto said Grantee, the following described property, to-wit:

LOT 6, IN BLOCK 6, OF SUNSET TERRACE, SECTION NINE (9), A SUBDIVISION IN HARRIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN VOLUME 21, PAGE 20 OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS.

FILED

04 SEP 17 AM 9:04

Beverly B. Keefner
COUNTY CLERK
HARRIS COUNTY, TEXAS

TO HAVE AND TO HOLD the above-described premises, together with all and singular, the rights and appurtenances thereunto in anywise belonging unto said Grantee, his heirs and assigns, forever. And Grantor does hereby bind himself, his heirs, executors and administrators, to warrant and forever defend all and singular the said premises unto said Grantee, his heirs and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

Taxes for the current year have been prorated and their payment is assumed by Grantee.

This conveyance is made subject to any and all valid and subsisting restrictions, easements, rights of way, reservations, maintenance charges together with any lien securing said maintenance charges, zoning laws, ordinances of municipal and/or other governmental authorities, conditions and covenants, if any, applicable to and enforceable against the above-described property as shown by the records of the County Clerk of said County.

The use of any pronoun herein to refer to Grantor or Grantee shall be deemed a proper reference even though Grantor and/or Grantee may be an individual (either male or female), a corporation, a partnership or a group of two or more individuals, corporations and/or partnerships, and when this Deed is executed by or to a corporation, or trustee, the words "heirs, executors and administrators" or "heirs and assigns" shall, with respect to such corporation or trustee, be construed to mean "successors and assigns".

It is expressly agreed that the Vendor's Lien is retained in favor of the payee of said Note against the above-described property, premises and improvements, until said Note and all interest thereon shall have been fully paid according to the terms thereof, when this Deed shall become absolute.

EXECUTED this 14TH day of SEPTEMBER, 2004.

Carol Garnett
CAROL GARNETT

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ANY PROVISION HEREIN WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR OR RACE IS INVALID AND UNENFORCEABLE UNDER FEDERAL LAW.
THE STATE OF TEXAS
COUNTY OF HARRIS
I hereby certify that this instrument was FILED in File Number Sequence on the date and at the time stamped herein by me; and was duly RECORDED in the Official Public Records of Real Property of Harris County, Texas on

SEP 17 2004



Bonny L. Kayman
COUNTY CLERK
HARRIS COUNTY, TEXAS

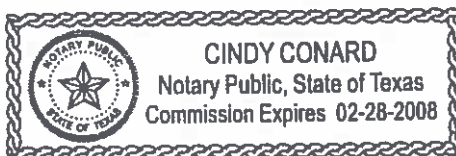
STATE OF Texas, COUNTY OF Harris, ss:

This instrument was acknowledged before me on this 15 day of September, 20 04, by CAROL GARNETT.

Cindy Conard

NOTARY PUBLIC

GRANTEE'S ADDRESS:
3830 CHILDRESS ST.
HOUSTON, TEXAS 77005





The City of West University Place

A Neighborhood City

November 27, 2018

Ms. Debbie Scarcella
City Planner
City of West University Place
3826 Amherst
West University Place, Texas 77005

Re: Drive way construction as it relates to preservation of 48" Live Oak at 3715 Wroxton,
West University Place, Texas.

Dear Ms. Scarcella:

I have reviewed site plan submitted for new home and driveway construction at 3715 Wroxton and find construction of a new concrete drive, in similar location as existing, will have significant impact on long-term survival and structural integrity of a 48" Live Oak. 6-8" diameter roots have pushed the existing drive up and allowed the roots to grow at an elevation that is in conflict with forming and pouring a new concrete drive. Construction of a concrete drive would appear to require cutting of major roots some 2-3' from the base of the tree's trunk. The amount of root loss associated with the root cutting would significantly compromise the tree's long-term survival and structural integrity.

Using a 3 to 6' wide band of aggregate, or other permeable material, running east to west through proposed drive would allow construction of concrete drive up to, and then on the other side of tree roots and avoid need to cut them for forms and excavation related to concrete construction. Regardless of aggregate or permeable area type, stabilization and excavation of existing soil and roots beneath existing drive will not be feasible if tree is to be preserved.

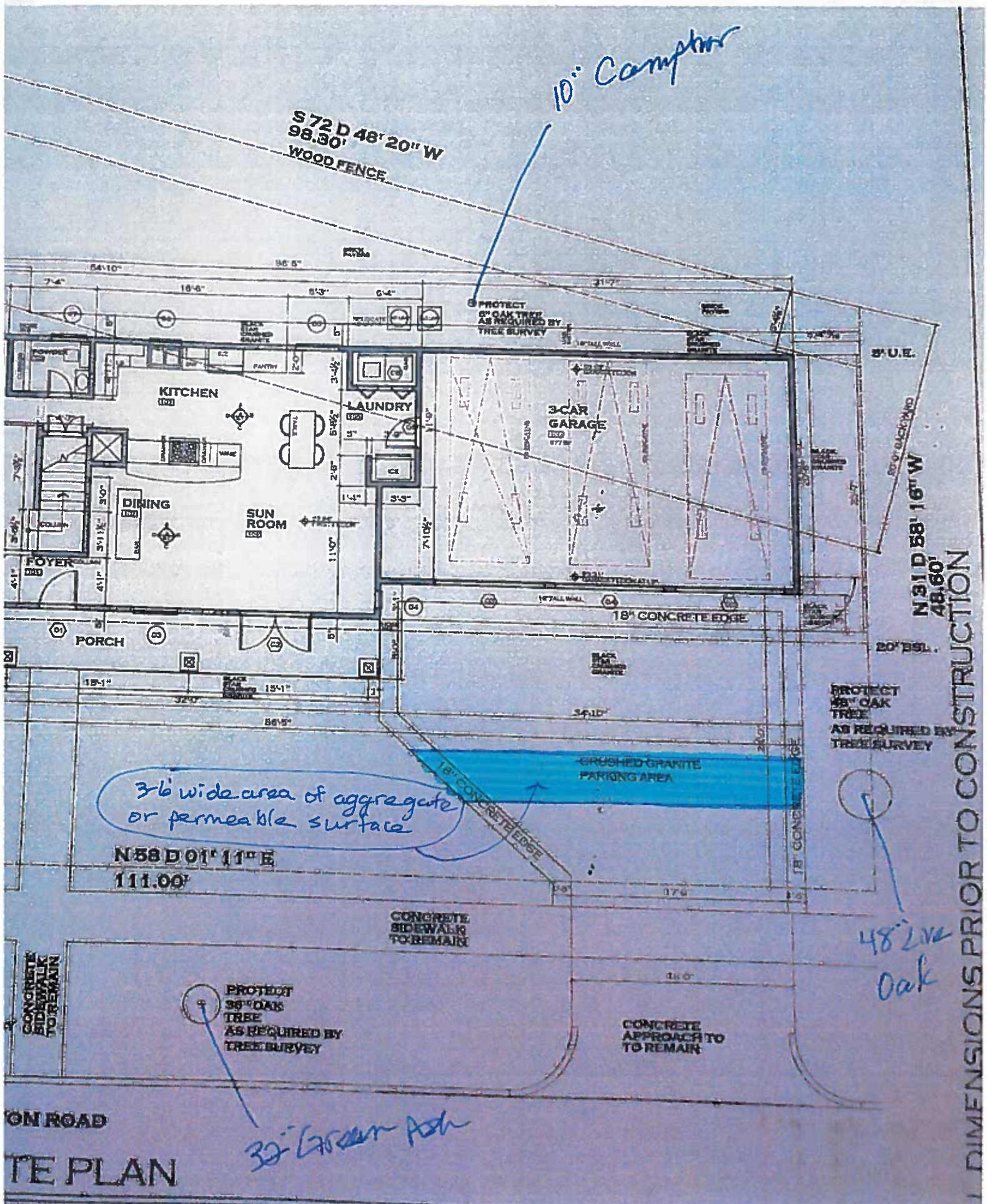
Please let me know if you have any questions or would like any additional information.

Sincerely,

Craig N. Koehl
Urban Forester
713.662.5313 or ckoehl@westu.org

Attachments: Aggregate or Permeable Surface location sketch





Note 4. Pavement . The ZBA may issue a special exception to allow other materials if it finds that they will provide equal or better durability.

Note 7. Special Exceptions . The ZBA may issue a special exception for a parking area, garage or driveway (or other maneuvering area) in another location or with a different design than prescribed by this ordinance, if it finds that: (i) the other location or design will not unreasonably interfere with available light and air and will not significantly alter access for fire-fighting and similar needs; (ii) the other location or design will prevent the destruction of a qualified tree; (iii) in the case of the remodeling of a principal building, the location requested is the same location as an existing parking area, garage or driveway; or (iv) the location or design requested is necessary for safety considerations.

Table 7-4a: Garage space		<p><i>General Rule:</i> Every building site, garage space and related structure must conform to the applicable regulations shown, by District, in this table. ("N/A" means the rule does not apply.) <i>Exceptions/Special Rules:</i> (1) See special rules noted in table. (2) See Article 9 regarding Planned Development Districts.</p>						
Item	Regulation	SF-1	SF-2	SF-3	TH	GR-1	GR-2	C
Garage doors or openings	Maneuvering area	See Article 10						
	Door or opening facing front street line.	Prohibited unless: (i) the garage door is set back ten feet or more from the front yard, and (ii) there is only open area above the driveway for at least seven feet inward from the front yard, and (iii) any structure above the driveway (and within ten feet of the front yard) must be cantilevered or suspended from the building (no special posts or vertical supports being allowed).			(May affect eligibility as QMDS. See definitions in Article 2.)			
	Door or opening facing side street line	Prohibited unless: (i) the garage door is set back ten feet or more from the side street line, and (ii) there is only open area above the driveway for at least seven feet inward from the side street line, and (iii) any structure above the driveway (and within ten feet of the side street line) must be cantilevered or suspended from the building (no special posts or vertical supports being allowed).			(May affect eligibility as QMDS. See definitions in Article 2.)			

Garage accessory buildings	Limit on non-garage space	Max. 600 sq. ft. GFA in any accessory building containing garage space.	N/A



The City of West University Place

A Neighborhood City

NOTICE OF ZONING BOARD OF ADJUSTMENT HEARING

The Zoning Board of Adjustment (“ZBA”) of the City of West University Place, Texas (“City”) will hold a public hearing in the Municipal Building, 3800 University Boulevard, City of West University Place, Texas 77005, during a meeting set to begin at **6:30 p.m. on December 20, 2018.** The hearing may be recessed and continued to a ZBA meeting set to begin at **6:30 p.m. on January 24, 2019.** The purpose of the hearing is to provide an opportunity for all persons to be heard in relation to the following matter:

Address of the site: 3715 Wroxton Road, West University Place, TX 77005

Legal Description of the Site: Lot 6, Block 6, Sunset Terrace Section 9

Docket No.: 2018-0007, 2018-0008, and 2018-0009

Applicant: Brent Farrell-Re Craft Construction

Action Requested: **1. Special Exception** to Appendix A-Table 7-5a, Note 7, Requesting an alternate driveway design that would allow for a 30 foot driveway width for a three car garage in the front yard; **2. Special Exception** to Appendix A-Table 7-5a, Note 4, allowing for an alternate driveway material in the front yard; and, **3. Variance** to Appendix A-Table 7-4a, Minimum garage setback, requesting that the driveway doors be located 3.1’ from the front yard line.

Additional Details:

The applicant proposes to demolish and reconstruct a garage using the same setback as the existing garage. Applicant proposes to construct a three car garage in the location. The applicant also proposes to construct a 30’ wide driveway to the garage structure and proposes to use pervious material that does not meet the definition of pervious pavement.

Applicable regulations include the City’s Zoning Ordinance, Code of Ordinances, Chapter 211 of the Texas Local Government Code and the rules of the ZBA. Additional details on such matters, as well as the applicable regulations are available for public inspection in the Public Works Center, 3826 Amherst, West University Place, 77005 or online at www.westutx.gov. Any person interested in such matters should attend the hearing.

If you plan to attend this public meeting and you have a disability that requires special arrangements at the meeting, please contact the City Planner at 713-662-5893 in advance of the meeting. Reasonable accommodations will be made to assist your participation in the meeting. The Municipal Building is wheel chair accessible from the West and Southwest entrances and specially marked parking spaces are available in the Southwest parking area.

Signed: Debbie Scarcella for the ZBA on December 4, 2018.
dscarcella@westutx.gov 713-662-5893.



BARGER JESSICA & DARRELL L
3703 WROXTON RD
HOUSTON TX 77005-2033

BREITENWISCHER KIRTK T & LEONORA
3707 WROXTON RD
HOUSTON TX 77005-2033

OLMSTEAD CECIL JAY III & BEVERLY
3711 WROXTON RD
HOUSTON TX 77005-2033

SCHORRE KENNETH RAY JR &
KIMBERLY L
3724 WROTON RD
HOUSTON TX 77005-2034

PADGETT JAMIE E
3810 LAW ST
(C/O 3720 WROXTON RD)
HOUSTON TX 77005-1257

SCUSERIA IGNACIO & CHRISTINA
SANBORN
3712 WROXTON RD
HOUSTON TX 77005-2034

WREN GEORGIA E
MCCONN TIMOTHY K SR
3708 WROXTON RD
HOUSTON TX 77005-2034

REID DANIEL E & DAREY J
3716 WROXTON RD
HOUSTON TX 77005-2034

YATES TERRY A & MARTHA E
3728 WROXTON RD
HOUSTON TX 77005-2034

WEDDLE REVOCABLE TRUST STEVEN J &
MARGARET B WEDDLE TRUSTEES
5907 ANNAPOLIS ST
(C/O 3732 WROXTON RD)
HOUSTON TX 77005-3109

T JONATHAN TESFAYE TRUST
3740 WROXTON
(C/O 3736 WROXTON RD)
HOUSTON TX 77005-2034

TESFAYE TEKLE & URAIWAN P
3740 WROXTON RD
HOUSTON TX 77005-2034

LANKFORD BRADLEY L & LAURINDA C
3742 WROXTON RD
HOUSTON TX 77005-2034

GULLETT MARY LOU & KENNETH
3701 ALBANS RD
HOUSTON TX 77005-2001

PIWNICAWORMS DAVID R & HELEN M
3707 ALBANS RD
HOUSTON TX 77005-2001

HO MEIJEN & KAN PETER
3711 ALBANS RD
HOUSTON TX 77005-2001

TRENT SHERRY B & THOMAS C
3719 ALBANS RD
HOUSTON TX 77005-2001

BOYTON SHARON F
3723 ALBANS RD
HOUSTON TX 77005-2001

ROBERTS CHALRES M
% ROBERTS CHARLES M & TRUSTEE
3727 ALBANS RD
HOUSTON TX 77005-2001

PRITCHARD ALLISON M & CLINTON
DOERR II
3731 ALBANS RD
HOUSTON TX 77005-2001

FARRELL BRENT J
3715 WROXTON RD
HOUSTON TX 77005-2033

BRETT LINDSAY W & JOHN C
3720 ALBANS RD
HOUSTON TX 77005-2002

GOSSETT NANCY W
STEPHENSON GARY V
3724 ALBANS RD
HOUSTON TX 77005-2002

WEITZEL HARRY P
3708 ALBANS RD
HOUSTON TX 77005-2002

FRANK TODD S & OBRIEN KELLY M
3712 ALBANS RD
HOUSTON TX 77005-2002

Agenda Item #6



The City of West University Place

A Neighborhood City

ZONING BOARD OF ADJUSTMENT
MUNICIPAL BUILDING
3800 UNIVERSITY BOULEVARD
REGULAR MEETING MINUTES
May 24, 2018
6:30 pm

I.	MEMBERS PRESENT:	Steven Segal (voting), Bruce Beneke (voting), Donald Yurewicz (voting), David Kuykendall (voting) and Sylvette Bobb (voting)
II.	MEMBERS ABSENT:	Sandy Hellums-Gomez, Edward Nikonowicz, Janet Parisi and Sergio Amelio
III.	STAFF PRESENT:	Martye Kendrick, Legal Counsel; Debbie Scarcella, City Planner and Josie M. Hayes, Administrative Coordinator
IV.	CALL TO ORDER:	6:30 pm.

Agenda Item	Discussion	Action
1 Call the meeting to order. Notices, Rules, Etc.	Steven Segal called the meeting to order at 6:32 p.m. Steven Segal asked each member to briefly introduce themselves and state if they are voting or nonvoting. Josie M. Hayes, Administrative Coordinator, stated that all notices were posted in accordance with state and local requirements. Steven Segal then described the hearing procedures. Swearing in of witnesses.	Bruce Beneke moved to accept that all notices were properly posted and distributed for this meeting. Second by Sylvette Bobb. Ayes: Steven Segal, Bruce Beneke, Donald Yurewicz, David Kuykendall and Sylvette Bobb. Motion Carried. Steven Segal administered the oath to all witnesses.
2 Swearing in of ZBA Members and Selection of a Vice-Chairman.	Swearing in of ZBA members and Selection of Vice-Chairman.	Marty Kendrick, Legal Counsel swore in all ZBA members. A Vice-Chairman will be selected at the next meeting.
3 Docket No. 2018-0002, regarding property at 5608 and 5610 Community, West University Place, Texas 77005 (Variance) a. Public hearing regarding a request for a	The applicant in Docket 2018-0002, RL Legend Equity Co, Inc, has requested a variance to Chapter 5, Table 5-100 for minimum building site dimensions and square footage for a new building site. John Wawrose, the representative for RL Legend Equity Co presented their request for the variance. Mr. Wawrose stated he	Motion to close the evidentiary portion of the hearing was made by Sylvette Bobb. Second by Donald Yurewicz. Ayes: Steven Segal, Bruce Beneke, Donald Yurewicz, David Kuykendall and Sylvette Bobb. Motion carried. After deliberations Bruce Beneke made a motion to deny the variance to Article 5,





<p>special exception.</p> <p>b. Deliberation, decisions, other action, etc. regarding the preceding matters.</p>	<p>felt the variance request is to the benefit of the public interest and it will relieve hardship on the other members of the nearby community and the hardship of the owners of the lots in question.</p> <p>Staff did not receive any correspondence letters in favor or against the application.</p> <p>Citizen speaking in favor of the application were:</p> <p>Thomas Beard, 5628 Community Dr., Lang Fu, 4207 Lehigh St., Alida Drewes, 6112 Fordham St. and Richard Andrews, 4259 Emory St.</p> <p><u>Background Information:</u></p> <p>The property located at 5608 and 5610 Community Dr. is located in an FS-3 zoning district and consists of Lots 21, 22 and 23 of Block 1, College Court Place subdivision. In 1974 building permits were obtained and structures built on Lot 21 and ½ of Lot 22 and ½ of Lot 22 and Lot 23. The structures remain on the property today. The original platted lots were 50' x 116'. When the structures were built, two building sites were created from the three platted lots with a width of 75'. The applicant would like to divide and combine the two building sites to make three new building sites and build three new single-family dwellings on the building sites.</p> <p><u>Staff Response:</u></p> <p>The city recompiled the zoning regulations and adopted new minimum building site dimensions for the SF-3 zoning district in 1987. In an effort to help control density issues, the new minimum building site dimensions were prescribed as 75' x 110' with each site containing at least 8,250 square feet. The current building sites meet this regulation. The applicant is asking to</p>	<p>Table 5-1, allowing for the reconfiguration of two building sites to create three new building sites that do not meet the minimum dimensions. Seconded by Donald Yurewicz. Ayes: Steven Segal, Bruce Beneke, Donald Yurewicz, David Kuykendall and Sylvette Bobb. Motion Denied (5-0).</p>
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		<p>divide the two building sites and create three new building sites of 50' x 116', containing 5,800 square feet. When the initial developer built the house on one and one-half lots, new building sites were created that differ from the subdivision plat. To divide them now would again create "new" building sites and these new building sites must meet the minimum dimensions for width and square footage.</p> <p>Table 5-1 of Section 5-100 of the zoning regulations establishes the minimum dimensions for a building site. For new building sites, in addition to the minimum dimensions, there is a note to the table, Note 3, which is applicable. The division of these properties to create new building sites does not fall into one of the three criteria listed.</p>	
4	<p>Docket No. 2018-0003, regarding property at 3006 Sunset Blvd., West University Place, Texas 77005 (Special Exception)</p> <p>a. Public hearing regarding a request for a special exception.</p> <p>b. Deliberation, decisions, other action, etc. regarding the preceding matters.</p>	<p>The applicant in Docket 2018-0003, Monica Ybarra, has requested a special exception to allow an additional curb cut in the side yard setback to accommodate a semi-circular driveway. Sam Brisendine, the representative for Monica Ybarra presented their request for the special exception. Mr. Brisendine stated by allowing the special exception, it will allow the owner to benefit from two curb cuts like other residents, provide the owner with equal parking opportunities available to other residents, provide the owner with off-street parking reasonably close to a door to the resident. The formal parking entry faces Sunset Blvd., but as long as parking nearby is restricted on Sunset Blvd., guest parking along Belmont St. will be far more convenient.</p> <p>Staff did not receive any correspondence letters in favor or against the application.</p> <p>Citizens speaking in favor of the application was:</p>	<p>Motion to close the evidentiary portion of the hearing was made by Donald Yurewicz. Second by Bruce Beneke. Ayes: Steven Segal, Bruce Beneke, Donald Yurewicz, David Kuykendall and Sylvette Bobb. Motion Carried.</p> <p>After deliberations, Bruce Beneke made a motion approve the special exception to Table 7-5a, Note 5 to allow an additional curb cut in the side yard setback to accommodate a semi-circular driveway. Seconded by Sylvette Bobb. Ayes Steven Segal, Bruce Beneke, Donald Yurewicz, David Kuykendall and Sylvette Bobb. Motion Carried (5-0).</p>





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		<p>Alida Drewes, 63112 Fordham St.</p> <p><u>Background Information:</u> The property at 3006 Sunset Blvd. is located in an SF-3 zoning district at the northwest corner of Sunset Blvd. and Belmont St. Directly across the street on the southwest corner is Weir (Sunset) Park. There is no parking allowed in front of the park on both sides of the street. The applicant is seeking a special exception to construct a semi-circular driveway on the side street along Belmont St.</p> <p><u>Staff Response:</u> Table 7-5a limits the number of curb cuts to one per building site in a single family district. There is an exception that authorizes additional curb cuts of which can be a semicircular driveway that meets the minimum requirements of Chapter 70, "Street Areas and Public Spaces", specifically Section 70-27 regarding curb cuts and driveways. Section 70-27 requires that the curb cuts be located along the front street line for a semi-circular driveway. The driveway configuration complies with all of the other requirements.</p>	
5	Meeting Minutes.	Approval of meeting minutes of October 27, 2016, January 26, 2017 and June 22, 2017.	Donald Yurewicz moved to approve the October 27, 2016, January 26, 2017 and June 22, 2017 minutes. Second by Steven Segal. Ayes: Steven Segal, Bruce Beneke, Donald Yurewicz, David Kuykendall and Sylvette Bobb. Motion Carried.
	Adjournment.	The meeting was adjourned at 7:42 pm.	David Kuykendall moved to adjourn the meeting. Second by Sylvette Bobb. Ayes: Steven Segal, Bruce Beneke, Donald Yurewicz, David Kuykendall and Sylvette Bobb. Motion Carried.

APPROVED THIS _____ DAY OF _____ 2018.

Presiding Officer

ATTEST: _____
Josie M. Hayes, Public Works Administrator Coordinator

